

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MARIJUANA REGULATORY AGENCY

In the Matter of

The House of Mary Jane, LLC  
ERG No.: 000421  
License No.: PC-000102  
ENF No.: 21-00280

CMP No.: 21-000693

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against The House of Mary Jane, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marihuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or administrative rules.

2. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions on the license.

3. Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marihuana facility operations.

4. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marihuana facility operations.

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## FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

5. Respondent holds an active state operating license under the MMFLA to operate a medical marijuana provisioning center facility in the state of Michigan.

6. Respondent operated at 19154 James Couzens Fwy., Detroit, Michigan 48235, at all times relevant to this complaint.

7. Following an investigation, the MRA determined that Respondent violated the MMFLA and/or administrative rules promulgated thereunder as set forth below:

- a. On May 19, 2021, the MRA conducted a compliance visit at Respondent's provisioning center facility.
- b. The MRA observed multiple bags, backpacks, and duffle bags of marijuana products that did not have the tracking identification numbers assigned by the statewide monitoring system (METRC) attached.
- c. Respondent was told none of the products that were without METRC tags could be sold or destroyed until the investigation was completed and guidance was given by the MRA. The MRA also requested Respondent provide the 30 days of video surveillance coverage required by administrative rule.
- d. During the compliance visit, the MRA was able to view 30 days of surveillance recordings on the provisioning center's surveillance system.
- e. Respondent is in violation of Mich Admin Codes, R 420.210(1) & R 420.210(2), which state except for designated consumption establishments or temporary marijuana events licensed under the Michigan regulation and taxation of marijuana act, a marijuana business must not have marijuana products that are not identified and recorded in the statewide monitoring system pursuant to these rules. A licensee shall not transfer or sell a marijuana product that is not identified in the statewide monitoring system

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pursuant to these rules. And a marijuana business must not have any marijuana product without a batch number or identification tag or label pursuant to these rules. A licensee shall immediately tag, identify, or record as part of a batch in the statewide monitoring system any marijuana product as provided in these rules.

- f. Respondent possessing untagged marijuana products at the facility is also a violation of Mich Admin Code, R 420.505(2), which states a marijuana sales location shall enter all transactions, current inventory, and other information required by these rules in the statewide monitoring system in compliance with the acts and these rules. The marijuana sales location shall maintain appropriate records of all sales or transfers under the acts and these rules and make them available to the agency upon request.
- g. Finally, Respondent is in violation of Mich Admin Code, R 420.111(4)(b), which states a provisioning center shall enter all transactions, current inventory, and other information into the statewide monitoring system as required in the medical marijuana facilities licensing act, these rules, and the marijuana tracking act.
- h. Respondent was not able to provide the 30 days of video surveillance as requested by the MRA. Respondent is in violation of Mich Admin Codes, R 420.209(11) & R 420.209(12), which state a licensee shall keep surveillance recordings for a minimum of 30 days, except in instances of investigation or inspection by the agency in which case the licensee shall retain the recordings until the time as the agency notifies the licensee that the recordings may be destroyed. And surveillance recordings of the licensee are subject to inspection by the agency and must be kept in a manner that allows the agency to view and obtain copies of the recordings at the marijuana business immediately upon request. The licensee shall also send or otherwise provide copies of the recordings to the agency upon request within the time specified by the agency.
- i. The MRA requested the video management system log, after Respondent could not provide the required footage and alleged a third-party vendor

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deleted the video back up. The log failed to identify the employee(s) responsible for monitoring the video surveillance system and lacked the identity of anyone removing or destroying recordings. Respondent is in violation of Mich Admin Codes, R 420.209(14)(a-c), which state a licensee shall maintain a log of the recordings, which includes all of the following: (a) The identities of the employee or employees responsible for monitoring the video surveillance system. (b) The identity of the employee who removed the recording from the video surveillance system storage device and the time and date removed. (c) The identity of the employee who destroyed any recording.

- j. On May 25, 2021, the MRA returned to the provisioning center facility and inquired about the untagged marijuana products. Respondent had some products remaining in a safe but destroyed the remaining marijuana products with motor oil and had Waste Management remove the destroyed products. Video surveillance recordings of the product destruction was requested as required and not provided by Respondent.
- k. Respondent is in violation of Mich Admin Code, R 420.209(6)(vii), which states a licensee shall ensure the video surveillance system covers anywhere marijuana or marijuana products are destroyed.
- l. Respondent is also in violation of Mich Admin Codes, R 420.211(4) & R 420.211(8), which state a marijuana product rendered unusable and unrecognizable and, therefore, considered waste, and marijuana plant waste must be recorded in the statewide monitoring system. And a licensee shall maintain accurate and comprehensive records regarding marijuana product waste, and marijuana plant waste that accounts for, reconciles, and evidences all waste activity related to the disposal. The agency may publish guidance on marijuana product waste management.

THEREFORE, based on the above, the MRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

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Under MCL 333.27407(4) and Mich Admin Code, R 420.704(2), any party aggrieved by an action of the MRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the MRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 420.704(1) A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MMFLA and/or the administrative rules. A compliance conference request must be submitted to the MRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs  
Marijuana Regulatory Agency  
P.O. Box 30205  
Lansing, Michigan 48909

In Person: Department of Licensing & Regulatory Affairs  
Marijuana Regulatory Agency  
2407 North Grand River  
Lansing, Michigan 48906

By Email: [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov)

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

Questions about this complaint should be directed to the Marijuana Regulatory Agency at (517) 284-8599 or [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Claire Patterson, Manager  
Scientific and Legal Section Manager  
Enforcement Division  
Marijuana Regulatory Agency

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**PROOF OF SERVICE**

I hereby certify that on \_\_\_\_\_, I mailed a copy of the  
Formal Complaint dated \_\_\_\_\_ in the above captioned case  
by certified mail (return receipt requested) to:

The House of Mary Jane, LLC  
19154 James Couzens  
Detroit, Michigan 48235

With a copy to:

Markwei Boye  
5306 Kingsfield Dr.  
West Bloomfield, Michigan 48322-2036

\_\_\_\_\_  
Abby Rae Brooks  
Departmental Technician  
Marijuana Regulatory Agency  
Department of Licensing & Regulatory  
Affairs